

ATTORNEY DOCKET NO.: P-9328.01  
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PATENT  
Total Pages

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
UTILITY PATENT APPLICATION TRANSMITTAL

FIRST NAMED INVENTOR OR APPLICATION IDENTIFIER: Thomas M. Soukup et al.  
TITLE: SYSTEM AND METHOD FOR PROMOTING SELECTIVE TISSUE IN-GROWTH FOR AN IMPLANTABLE MEDICAL DEVICE

CERTIFICATE UNDER 37 CFR §1.10: I hereby certify that this Utility Patent Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service, in an envelope addressed to: Mail Stop Patent Application, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, "EXPRESS No. EV 331 792 841 US, on this 25th day of September, 2003.

Sue McCoy  
Printed Name  
Signature

03970 U.S. PTO  
10/671103  
09/25/03

MAIL STOP PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

We are transmitting herewith the attached:

X Patent Application Transmittal

X Specification:

Total pages: 26 (including claims and abstract: Spec. 15 sheets; Claims 10 sheets; Abstract 1

X Drawings:

Total sheets: 9

☒ formal ☐ informal

☒ Combined Declaration and Power of Attorney:

☐ executed

☒ copy from prior application

☐ Deletion of Inventor(s) - Signed statement attached deleting inventor(s) named in the prior application (37 CFR 1.63(d)(2) and 1.33(b))

☐ Incorporation by Reference - The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied above is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

X Accompanying application parts:

☐

Notification of filing a

☐

Assignment of the Invention to Medtronic, Inc.

☐

Assignment cover sheet

☐

Information Disclosure Statement

☐

PTO Form 1449

☐

Copies of IDS citations

☒

Preliminary Amendment

☐

A copy of the Petition or Conditional Petition for Extension of Time in the prior application.

☒

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IF A CONTINUING APPLICATION:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application  
No. 09/827,103, filed April 5, 2001.

☒ Amend the specification by inserting before the first line the sentence: --This application is a divisional of application Serial No. 09/827,103, filed April 5, 2001, now allowed, which claims priority from provisional application Serial No. 60/258,647, filed December 29, 2000, now expired.--

☒ Cancel in this application original claims 1-49 and 57 of the prior application before calculating the filing fee. (At least the original independent claim must be retained for filing purposes.)

☒ The prior application is assigned in full to Medtronic, Inc.

☒ The Power of Attorney in the prior application is to: Medtronic, Inc..

☐ This application claims the benefit of U.S. Provisional Application(s) Serial No.(s) \_\_\_\_\_, filed \_\_\_\_\_.

X Address all future correspondence to: Elisabeth L. Belden, Reg. No. 50,751  
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No. 27,581

FEE  CALCULATION	No. of Claims Filed	Claims Included in Base Fee	No. of Extra Claims	Rate	Fee
Total Claims	18	20	= 0	x 18	0
Independent Claims	1	3	= 0	x 84	0
Multiple Dependent Claims	0		0	+ 280	0
Basic Filing Fee					\$750.00
TOTAL					750.00

X Charge Deposit Account No. 13-2546 in the amount of \$750.00 for the filing fee.

X The Commissioner is hereby authorized to charge any fees which may be required under 37 CFR 1.16 and 1.17, or credit any overpayment to Deposit Account No. 13-2546. A duplicate of this transmittal is enclosed.

September 25, 2003  
Date

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